

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 494

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 494, a bill for an Act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, respectfully make the following report:

1. That the House recedes from its amendment, S-3157.

2. That Senate File 494, as passed by the Senate, is amended to read as follows:

1. Page 5, line 13, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

2. Page 5, by striking lines 15 and 16 and inserting <maintenance, and miscellaneous purposes:>

3. Page 5, by striking line 18.

4. Page 7, line 16, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

5. Page 8, line 3, after <ranger> by inserting <or park manager>

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6. Page 10, line 16, by striking <2,000,000> and inserting <1,950,000>

7. Page 10, line 35, by striking <450,000> and inserting <500,000>

8. Page 15, line 24, by striking <For> and inserting <a. For>

9. Page 15, line 26, by striking <2,550,000> and inserting <2,700,000>

10. Page 15, after line 26 by inserting:

<b. Of the moneys appropriated in paragraph "a", the department shall support field staff providing technical assistance by allocating one hundred percent of the amount that the department allocated to support field staff under 2013 Iowa Acts, chapter 132, section 47, subsection 4, as amended by 2014 Iowa Acts, chapter 1139, section 18. In addition, of the moneys appropriated in paragraph "a", the department shall allocate an additional \$150,000 to support such field staff.>

11. Page 17, line 3, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

12. Page 17, by striking lines 29 through 32.

13. Page 19, by striking lines 8 through 11.

14. Page 24, line 35, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

15. Page 25, by striking lines 2 and 3 and inserting <maintenance, and miscellaneous purposes:>

16. Page 25, by striking line 5.

17. Page 27, line 3, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

18. Page 27, line 25, after <ranger> by inserting <or park manager>

19. Page 30, line 3, by striking <1,000,000> and inserting

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<975,000>

20. Page 30, line 22, by striking <225,000> and inserting <250,000>

21. Page 33, line 18, by striking <For> and inserting <a. For>

22. Page 33, line 20, by striking <1,275,000> and inserting <1,350,000>

23. Page 33, after line 20 by inserting:

<b. Of the moneys appropriated in paragraph "a", the department shall support field staff providing technical assistance by allocating fifty percent of the amount that the department allocated to support field staff under section 19, subsection 4, of this Act. In addition, of the moneys appropriated in paragraph "a", the department shall allocate an additional \$75,000 to support such field staff.>

24. Page 34, line 32, by striking <soil conservation division> and inserting <division of soil conservation and water quality>

25. Page 35, by striking lines 22 through 25.

26. Page 37, by striking lines 1 through 4.

27. Page 38, by striking lines 5 through 21 and inserting:

<Sec. ____ . NEW SECTION. 161A.80A **Blufflands protection program and revolving fund.**

1. As used in this section, unless the context otherwise requires:

a. For purposes of this section only, "*bluffland*" means a cliff, headland, or hill with a broad, steep face along the channel or floodplain of the Missouri or Mississippi river and their tributaries.

b. "*Conservation organization*" means a nonprofit corporation incorporated in Iowa or an entity organized and operated primarily to enhance and protect natural resources in this state.

2. A blufflands protection revolving fund is created in

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the state treasury. All proceeds shall be divided into two equal accounts. One account shall be used for the purchase of blufflands along the Mississippi river and its tributaries and the other account shall be used for the purchase of blufflands along the Missouri river and its tributaries. The proceeds of the revolving fund are appropriated to make loans to conservation organizations which agree to purchase bluffland properties adjacent to state public lands. The department of agriculture and land stewardship, in conjunction with the department of natural resources, shall adopt rules pursuant to chapter 17A to administer the disbursement of funds. Notwithstanding section 12C.7, interest or earnings on investments made pursuant to this section or as provided in section 12B.10 shall be credited to the blufflands protection revolving fund. Notwithstanding section 8.33, unobligated or unencumbered funds credited to the blufflands protection revolving fund shall not revert at the close of a fiscal year. However, the maximum balance in the blufflands protection revolving fund shall not exceed two million five hundred thousand dollars. Any funds in excess of two million five hundred thousand dollars shall be credited to the rebuild Iowa infrastructure fund. No loan shall be made under this section on or after July 1, 2025.

3. This section is repealed on July 1, 2030.

Sec. ____ . NEW SECTION. **161A.80B Outstanding bluffland protection loans.**

1. The principal and interest from any loan made pursuant to section 161A.80A, as enacted in this Act, remaining outstanding on July 1, 2025, that would have been payable to the blufflands protection revolving fund created in section 161A.80A, shall instead be paid to the division on or after July 1, 2025, pursuant to the terms of the loan agreement. The moneys paid to the division shall be credited to the rebuild Iowa infrastructure fund created in section 8.57.

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2. This section is repealed on July 1, 2030.

Sec. _____. MONEYS IN THE BLUFFLANDS PROTECTION REVOLVING FUND.

1. This section applies to any moneys existing in the blufflands protection revolving fund, including its accounts, as that fund and accounts exist under section 161A.80, Code 2015, on June 30, 2015, including any remaining appropriations made to that fund and accounts pursuant to 1998 Iowa Acts, chapter 1219, section 10, subsection 3, any moneys paid into the fund and accounts, and any moneys required to be credited to the rebuild Iowa infrastructure fund upon the repeal of section 161A.80, Code 2015, pursuant to section 161A.80, subsection 2, of that section.

2. The moneys described in subsection 1 shall be transferred to the blufflands protection revolving fund created in section 161A.80A, as enacted in this division of this Act. The moneys described in subsection 1 in an account of the blufflands protection revolving fund existing under section 161A.80, Code 2015, on June 30, 2015, shall be credited to the account with the same purpose created in the blufflands protection revolving fund under section 161A.80A, as enacted in this division of this Act.

DIVISION ____

CONTROL OF ANIMAL DISEASES — DISPOSAL

Sec. _____. Section 670.1, subsection 2, Code 2015, is amended to read as follows:

2. "*Municipality*" means city, county, township, school district, a chapter 28E entity as provided in section 670.4, subsection 1, paragraph "p", and any other unit of local government except soil and water conservation districts as defined in section 161A.3, subsection 6.

Sec. _____. Section 670.4, subsection 1, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. *p.* Any claim against a chapter 28E entity

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or an officer or employee of the entity in any way arising out of, or related to, the acts or omissions, operations, or acceptance of waste by the entity, at the request of federal or state agencies, or any political subdivision of this state, in response to a disaster emergency declared by the governor pursuant to section 29C.6, subsection 1, in any way related to an infectious or contagious disease as defined in section 163.2, subsection 5, unless the department of natural resources determines the entity materially deviated from the entity's direct responsibilities and duties under the special waste authorization issued by the department. A chapter 28E entity receiving waste under this paragraph shall not be responsible for actions or inactions of any other parties and shall have no duty to assess, challenge, or evaluate the efficacy or safety of the means of disposal pursuant to any governmental rule, order, special waste authorization, or directive.

Sec. _____. WASTE DISPOSAL REPORT. A chapter 28E entity which accepts avian flu waste for landfill disposal and which receives reimbursement of costs from the United States department of agriculture shall report to the general assembly by January 1, 2016, a summary of total costs and revenues related to the disposal of avian flu wastes.

Sec. _____. IMMEDIATE EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ____

CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS

Sec. _____. EFFECTIVE UPON ENACTMENT. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2015, takes effect upon enactment.

Sec. _____. RETROACTIVE APPLICABILITY. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2015, applies retroactively to July 1, 2015.>

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28. Title page, line 3, after <protection> by inserting <, and including effective date and retroactive applicability provisions>

29. By renumbering as necessary.

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

MARY JO WILHELM, CHAIRPERSON

JACK DRAKE, CHAIRPERSON

DICK L. DEARDEN

NANCY DUNKEL

KEVIN KINNEY

PAT GRASSLEY

KEN ROZENBOOM

NORLIN MOMMSEN

SCOTT OURTH